

117TH CONGRESS
1ST SESSION

S. 1642

To require the Secretary of State to submit a report on the status of women and girls in Afghanistan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 13, 2021

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the Secretary of State to submit a report on the status of women and girls in Afghanistan, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Women’s and
5 Girls’ Rights in Afghanistan Act of 2021”.

6 **SEC. 2. AFGHAN CIVIL SOCIETY DEFINED.**

7 In this Act, the term “Afghan civil society” means
8 the range of formal and informal organizations in Afghan-
9 istan that reflect community interests and deliver some es-
10 sential services.

1 **SEC. 3. FINDINGS.**

2 Congress finds the following:

3 (1) A large-scale withdrawal of United States
4 Armed Forces from Afghanistan will pose a risk to
5 those who are the most vulnerable in Afghanistan,
6 especially women and girls.

7 (2) When the Taliban governed Afghanistan
8 from 1996 to 2001, it barred women and girls from
9 taking most jobs or going to school and practically
10 made them prisoners in their own homes based on
11 its extremist religious ideology. Further, the Taliban
12 brutally imposed social restrictions on women, such
13 as mandatory burqa coverings, and restricted their
14 access to health care. The Taliban also prohibited
15 women from appearing in public spaces without a
16 male chaperone and imposed extremely violent pun-
17 ishments, often publicly, upon women for breaking
18 its decrees.

19 (3) The women of Afghanistan have achieved
20 much since the fall of the Taliban government, even
21 as insecurity, underdevelopment, and patriarchal
22 norms continue to limit their rights and opportuni-
23 ties in much of Afghanistan.

24 (4) Through strong support from the United
25 States and the international community—

1 (A) female enrollment in public schools in
2 Afghanistan has risen from zero in 2001 to
3 more than 3,000,000 in 2010; and

4 (B) as of 2019—

5 (i) millions of women in Afghanistan
6 have voted, and 25 percent of parliamen-
7 tarians in Afghanistan are women;

8 (ii) women held 13 seats as ministers
9 and deputy ministers and 4 women served
10 as ambassadors; and

11 (iii) beyond government, women
12 served as university instructors and profes-
13 sors, judges, prosecutors, defense attor-
14 neys, police and army personnel, health
15 professionals, journalists, and entre-
16 preneurs.

17 (5) Women’s empowerment continues to serve
18 United States primary interests in Afghanistan be-
19 cause women are sources of both peace and eco-
20 nomic progress in the country.

21 (6) If the United States military withdraws and
22 the Taliban regains influence, the United States will
23 have little ability to preserve the rights of women
24 and girls in Afghanistan, and there is fear that

1 those women and girls will again be vulnerable to in-
2 timidation and marginalization.

3 **SEC. 4. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) since 2001, Afghan civil society has
6 emerged as an important engine of social and polit-
7 ical development;

8 (2) any future political order in Afghanistan
9 should not only secure the gains made in democratic,
10 political, human, and women’s rights, but also work
11 to increase the ability of women to be treated equally
12 throughout society because respecting rights is es-
13 sential to securing a lasting peace and reflects the
14 will of the Afghan people;

15 (3) the United States must endeavor to pre-
16 serve the hard-won gains of the past 2 decades, par-
17 ticularly as related to the role and protection of
18 women and girls in civil society; and

19 (4) long-term stability in Afghanistan can best
20 be achieved and maintained by an inclusive Afghan
21 government that is responsive to the needs of all its
22 diverse communities and respects the rights of all its
23 citizens, especially women.

1 **SEC. 5. POLICY OF THE UNITED STATES REGARDING THE**
2 **RIGHTS OF WOMEN AND GIRLS OF AFGHANI-**
3 **STAN.**

4 It is the policy of the United States—

5 (1) to continue to support the rights of women
6 and girls in Afghan civil society after the withdrawal
7 of the Armed Forces of the United States from Af-
8 ghanistan;

9 (2) to strongly oppose any return to political ar-
10 rangements that would significantly weaken the
11 rights of women in Afghanistan;

12 (3) to refuse to provide economic aid to an Af-
13 ghan government (whether including or controlled by
14 the Taliban) if such government does not maintain
15 minimal standards, statutory or otherwise, of wom-
16 en's rights, such as by denying women access to
17 health care and primary and secondary education,
18 prohibiting women from appearing outside of a
19 household without a male relative, or disqualifying
20 women from jobs on the basis of gender;

21 (4) to instruct, as appropriate, representatives
22 of the United States Government to use the voice,
23 aid, and influence of the United States directly with
24 the Government of Afghanistan and the Taliban,
25 and at the United Nations, to preserve the civil and

1 human rights of the women and girls of Afghani-
2 stan;

3 (5) to continue providing the United States aid
4 and assistance necessary to preserve the rights of
5 women and girls in Afghanistan so that they may
6 continue to pursue educational and professional op-
7 portunities and be equal members of Afghan civil so-
8 ciety; and

9 (6) to identify individuals who violate the basic
10 rights of women in Afghanistan, as those rights are
11 defined by the Constitution of Afghanistan or set by
12 minimal international human right standards, such
13 as by committing murder, lynching, and grievous do-
14 mestic violence against women, and to ensure those
15 individuals are brought to justice, prosecuted, and
16 imprisoned.

17 **SEC. 6. REPORT.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, and every 180 days thereafter through
20 2024, the Secretary of State shall submit to the Com-
21 mittee on Foreign Relations and the Committee on Appro-
22 priations of the Senate and the Committee on Foreign Af-
23 fairs and the Committee on Appropriations of the House
24 of Representatives a report that includes the following:

1 (1) An assessment of the conditions of women
2 and girls in Afghan civil society following the depar-
3 ture of United States and North Atlantic Treaty Or-
4 ganization (NATO) forces, including the access of
5 those women and girls to primary and secondary
6 education, jobs, health care, and equal status in soci-
7 ety as compared to men.

8 (2) An assessment of the status of any assur-
9 ances made by the Taliban related to preserving the
10 rights of women and girls in Afghanistan, including
11 the access of those women and girls to primary and
12 secondary education, jobs, health care, and equal
13 status in society as compared to men.

○